



U.S. Department of Justice

*United States Attorney
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HDM/GN/PC/MC
F. #2016R00695

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June 4, 2024

By ECF and E-Mail

The Honorable Nicholas G. Garaufis
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Manuel Chang
Criminal Docket No. 18-681 (S-2) (NGG)

Dear Judge Garaufis:

The government respectfully submits this letter to advise the Court that earlier today, in advance of trial, a grand jury sitting in the Eastern District of New York returned a third superseding indictment (the "Indictment") against the defendant Manuel Chang. At the parties' last status conference, the Court advanced the trial date to July 15 due to concerns that trial in this matter may last approximately five weeks over the summer months, which could cause some burden on the jury. The government subsequently evaluated its case and potential witness list. In order to focus the government's case-in-chief at trial and streamline the evidence, the Indictment now charges the defendant with (i) Count One (wire fraud conspiracy); and (ii) Count Two (money laundering conspiracy). See Ex. A (Indictment). Consistent with the requirements of 18 U.S.C. § 1956, Count Two (money laundering conspiracy) alleges two different Specified Unlawful Activities ("SUA"), each of which serves as an independent SUA for the money laundering charge. Id. Specifically, the Indictment now alleges that the SUAs consisted of: (i) the bribery of a public official, in violation of Mozambican law; and (ii) wire fraud. Id.

The Indictment no longer alleges securities fraud conspiracy or the SUAs of (i) securities fraud and (ii) the misappropriation, theft, or embezzlement of public funds by or for the benefit of a public official, in violation of Mozambican law. In addition, consistent with the government's position in its pre-trial briefing and in Court, including most recently at oral argument on the defendant's motion to dismiss, the Indictment expressly defines investors in the Proindicus, EMATUM and MAM loans to include Credit Suisse and VTB. Finally, the Indictment provides additional allegations and language to support the government's first-brought venue

theory under 18 U.S.C. § 3238 (which the government had previously included in the second superseding indictment in December 2023).¹

Thank you for your attention to this matter.

Respectfully submitted,

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¹ The Indictment also no longer alleges misstatements in the Exchange but does still include allegations that some of the co-conspirators used the Exchange to conceal problems with paying back the EMATUM loan.